



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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**NOTICE OF APPEAL AND REQUEST FOR
EXTENSION OF TIME
PURSUANT TO 37 C.F.R. § 1.136(a) AND
TRANSMITTAL OF RESPONSE**

Docket Number
2345/39

MAY 05 2004

Technology Center 2600

Application Number
09/054,597

Filing Date
April 3, 1998

Examiner
**Ovidio
Escalante**

Art Unit
2645

Title
**METHOD AND APPARATUS FOR USING A SERVICE
MADE AVAILABLE IN A TELECOMMUNICATIONS
NETWORK**

Applicant(s)
Joachim POSEGGA

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop AF

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: April 27, 2004

Signature: Linda M. Shudy
Linda M. Shudy (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action of October 27, 2003 finally rejecting claims 1 to 20. Applicants believe that claims 1 to 20 should be allowable, and respectfully make this appeal of the Examiner's rejections of those claims.

This is also a Request pursuant to 37 C.F.R. § 1.136(a) by which Applicants respectfully request a three-month extension of time in which to respond to the Final Office Action so that the original three month response period is extended from January 27, 2004 to April 27, 2004. An Amendment is being filed concurrently (attached hereto) with this Notice of Appeal.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$330.00**, and the 37 C.F.R. § 1.136(a) three-month extension fee, which is believed to be **\$950.00**, to the deposit account number **11-0600** of **Kenyon & Kenyon**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon**. Two duplicate copies of this paper are enclosed for those purposes.

Dated: April 27, 2004

By:

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